

MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION

June 26, 2007

9:30 AM

OPEN SESSION

1. CALL TO ORDER - The meeting of the Board of Technical Registration was called to order at 9:30 a.m. by Chairman Stuart Lane.
2. ROLL CALL - Board Members in Attendance: Stuart Lane, Chet Pearson, Susan Schaefer Kliman, Sheila Bowen, Dawn Garcia, Ronald Starling, and Joy Lyndes. Board Staff: Ronald Dalrymple, Lavern Douglas, Kathryn Fuller, Lisa Lawhorn, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Terrie Sanders.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Dr. Schaefer Kliman moved to approve the May 22, 2007 minutes. Ms. Garcia seconded. Motion Carried.
5. **Review, Consideration and Possible Vote on the following:**
HOME INSPECTOR ENFORCEMENT MATTERS
 - A. Proposed Consent Agreements
 1. Alex Herrera, CHI # 39797
1a: HI07-080, 1b: HI07-088
Ms. Garcia moved to accept the Respondent's signed consent agreement encompassing the following Order: Open Book Test: Respondent shall take and pass with a score of 100% an open book test of the Board's Statutes and Rules and Cost of Investigation: Pay cost of investigation in the amount of \$200.00. Dr. Schafer Kliman seconded. After discussion, Motion Carried. (Mr. Pearson voted Nay.)
 2. M06-088, Thomas Mattingly, CHI #39074
Ms. Lyndes moved to accept the Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand and Cost of Investigation: Pay the cost of investigation in the amount of \$200.00. Ms. Garcia seconded. After Discussion, Motion Carried.
 3. M06-329, Kirt Klingerman, CHI #38968
Ms. Garcia moved to accept the Respondent's signed consent agreement encompassing the following Order: Letter of Reprimand; Open Book Test: Respondent shall take and pass with a score of 100% an open book test of the Board's Statutes and Rules; Administrative Penalty: Pay an administrative penalty in the amount of \$200.00; and Cost of Investigation: Pay cost of investigation in the amount of \$340.00. Ms. Bowen seconded. After discussion, Motion Carried

4. M06-048, Scott Lowry, CHI #40493

Mr. Starling moved to accept the Respondent's signed consent agreement encompassing the following Order: Assurance of Discontinuance: Assurance of discontinuance from practicing home inspections until certified by the Board; Civil Penalty: Pay a civil penalty in the amount of \$2,000.00; and Cost of Investigation: Pay cost of investigation in the amount of \$270.00. Dr. Schafer Kliman seconded. After Discussion, Motion Carried.

5. HI07-084, Scott Lowry, Nonregistrant

Ms. Garcia moved to accept the Respondent's signed consent agreement encompassing the following Order: Assurance of Discontinuance: Assurance of discontinuance from practicing home inspections ???; Civil Penalty: Pay a civil penalty in the amount of \$4,000.00; and Cost of Investigation: Pay cost of investigation in the amount of \$70.00. Dr. Schafer Kliman seconded. After Discussion, Motion Carried.

6. **Review, Consideration and Possible Vote on the following:**

EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION

1. Monte L. Post – Civil #061836

Ms. Bowen moved to grant Mr. Post registration. Ms. Garcia seconded. After discussion, Motion Carried.

2. Brent E. Morrison – Home Inspection #070666

Mr. Starling moved to accept the Respondent's application for certification. Ms. Lyndes seconded. After discussion, Motion Carried.

7. **Review, Consideration and Possible Vote on the following:**

EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION (LIST AVAILABLE AT BOARD OFFICE)

1. Granting of professional or in training registration
2. Approval to sit for the professional or in training examination
3. Recommendation for denial of professional or in training examination

Mr. Lane moved to accept the committee and staff recommendations listed in items 7.1, 7.2 and 7.3. Dr. Schafer Kliman seconded. Motion Carried.

8. **DIRECTOR'S REPORT**

Rule Package Status Reports:

R4-30-101 Design team became effective May 31, 2007

R4-30-304 Electronic sealing became effective May 31, 2007

Proposed Rule Changes R4-30-304:

Sealing of Letters

Seal Expiration Notice

Staff is currently working with GRRC to make some necessary modifications to the proposed rule so that it can be sent to the Secretary of State for publication.

2008-2009 Budget :

The budget has been signed by the Governor. We had asked for and, according to the last report, received funding for two additional people for the home inspector program and two additional people for the drug lab program.

The appropriation bill is reported to contain a 3.5% salary increase for state employees. We have not been told when the increase will go into effect. Additionally, rumor has it that employees will be paying more for retirement and health care.

Staff Change:

Bertha Gonzales has joined the staff as a customer service. Bertha has worked four (4) years for the state at the Department of Administration and the Department of Economic Security. She will be working as an administrative services assistant.

Arizona/ Sonora Commission:

I have been asked by the Committee of Education of the Arizona/Sonoran Commission, and paired up with the State of Sonora, Mexico Secretary of Education and Culture, to try and develop a protocol and memorandum of understanding designed to facilitate the processing of applications of registrants from the two jurisdictions to present to the Board and Sonoran officials for adoption consideration.

9. BOARD CHAIR'S REPORT – None.

10. STANDING COMMITTEE REPORTS

1. Legislation and Rules Committee – A meeting scheduled today to begin after the Board's meeting adjourns.
2. Budget Committee – The Board has built-out the office for the four (4) new employees using money from the 2006-2007 funds and not the 2007-2008; New furniture and computer equipment has been purchased, including 10 laptop computers for upcoming Board meetings. The Board should be in good shape for the 2007-2008 year.
3. Home Inspector Rules and Standards Committee – None.
4. Environmental Remediation Rules and Standards Committee – A meeting is scheduled for Wednesday, June 27, 2007.

11. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

1. National Council of Examiners for Engineering and Surveying (NCEES) – Mr. Lane is attending the annual meeting in Philadelphia, PA in August. Mr. Starling will not be attending, however, he has been asked and will accept an appointment, to sit on the Structural Engineering Committee again next year and would like to apply for emeritus status so he may continue to serve and sit on their Structural Engineering Committee. There is no way of knowing if the Governor's office will have a new appointment for the Board before the August NCEES meeting to determine if the Board will cover Mr. Starling's expenses.

2. National Council of Architectural Registration Boards (NCARB) – Dr. Schafer Kliman attended the NCARB meeting last week. NCARB voted: to allow applicants in the Architect-in-Training program to start taking the examinations immediately out of school and then, upon completion, if necessary, wait until they have satisfied their State's experience requirements for licensure; to put a public member on the National Board and a Board Executive Director on the National Board; and there is a movement to look into the definitions of health, safety and welfare, and sustainability as there are some questions about the need for clarification.
3. Council of Landscape Architectural Registration Boards (CLARB) – Ms. Lyndes indicated CLARB has not had a meeting since previous reporting but there has been a permanent Executive Director hired and he will lead the next meeting in October. Also from the national prospective, the governor of Colorado signed legislation to recognize Landscape Architecture registration. This leaves only one state, Vermont, who doesn't recognize Landscape Architecture. CLARB has asked Ms. Lyndes to sit on a committee for a year's term and she will accept that position and will be attending the October meeting.
4. National Association of State Boards of Geology (ASBOG) – Ms. Garcia indicated the next meeting is in October and nothing else has happened since her last reporting. She asked Mr. Dalrymple to look over proposed foundation by-laws that were developed based upon discussions at the April meeting. She will vote on this particular subject and would like this to be an item on the next Board agenda.

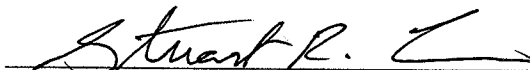
12. FUTURE BOARD MEETINGS – Tuesday, July 24, 2007.


13. FUTURE AGENDA ITEMS:

- Firm Registration – Registrant Participation Requirements
- ASBOG Foundation By-Laws
- Discussion of standardized Home Inspection form and/or report checklist

14. ADJOURNMENT – Dr. Schafer Kliman moved to adjourn. Ms. Lyndes seconded. Meeting adjourned at 10:30 a.m.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION


Stuart Lane, Chairman


Ronald W. Dalrymple, Executive Director

BOARD OF TECHNICAL REGISTRATION
BOARD/COMMITTEE MEETING – SIGN IN SHEET

If you wish to address the Board or Committee, please sign below. Otherwise, sign-in is voluntary.

Name (Please Print)	Affiliation	Subject
1. <u>MONTY L. POST</u>	<u>APPLICANT</u>	<u>6-1 6-1 - CIVIL</u>
2. <u>H. ALEX HERRERA</u>	<u>ALIZED RETRO</u>	<u>Heating 5.A1.</u>
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